

Remarks

At the time of the Office Action claims 1-25 were pending. Claims 1-4, 6-9, and 11 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,788,338 to Dinev et al. (hereinafter Dinev). Claims 1, 3-5, 10, 12, 13, 15-22, 24, and 25 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 7,154,547 to Oda (hereinafter Oda). Claim 14 stands rejected under 35 U.S.C. §103(a) as being obvious over Oda. Claim 23 stands rejected under 35 U.S.C. §103(a) as being obvious over Oda in view of Dinev. Additionally, the Office Action states that the title is not descriptive and a new title is required.

In the instant amendment the title is amended. The Applicant submits that the new title is descriptive and better corresponds with the claims. An indication of acceptance of the amended title is respectfully requested in the next action.

By way of the instant amendment, claims 1-11, 20-21 and 25 are canceled, and claims 12, 19 and 22 are amended. Although the Applicant traverses the rejections in view of Dinev and/or Oda, claims 1-11, 20-21 and 25 are canceled without prejudice to expedite prosecution. The Applicant reserves the right to present the canceled claims in a continuing application.

The amendments are fully supported by the specification (see, for example, FIGS. 4A and 4B and the corresponding description thereof on as-filed pages 10-12) and introduce no new matter. Accordingly, entry of the amendments is respectfully requested along with reconsideration of the claims.

Claim 12 is amended to more distinctly recite the Applicant's digital camera. In particular, claim 12 is amended to include the features of as-filed claims 20 and 21 along with additional structural cooperative relationships between the recited features. The Applicant submits that the cited art of record, taken alone or in combination, does not disclose, teach, suggest or contemplate the digital camera recited in claim 12. In particular, the Office Action cites to column 17, lines 54-56 of Oda as describing the Applicant's focus signal generator, which is now recited in claim 12 as feature (g). Although the cited portion of Oda describes controlling the focal position of a lens by determining "an exposure time and an F number matching with the thus estimated values," the Applicant submits that this portion of Oda does not describe, teach or suggest a focus signal generator that analyzes the high frequency

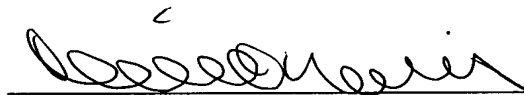
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Application No. 10/694,587
Response to Office Action of May 4, 2007

component of the digital image signal for calculating a focal value. Furthermore, the Applicant's representative has carefully reviewed the remainder of Oda, and finds no such teaching or suggestion. Thus, for at least this reason, Oda cannot anticipate independent claim 12. Accordingly, favorable reconsideration and withdrawal of the rejection of independent claim 12 under 35 U.S.C. §102 are respectfully requested.

In the event that the Office maintains the rejection of independent claim 12 under 35 U.S.C. §102, the Applicant respectfully requests that the Office, in the interests of compact prosecution, identify on the record and with specificity sufficient to support a prima facie case of anticipation, where in Oda feature (g) of independent claim 12 is alleged to be taught.

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned.

Respectfully submitted,



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